

### Remarks

The non-final Office Action dated October 10, 2008, lists the following rejections: claims 1-6 stand rejected under 35 U.S. C. § 112(2); and claims 1-10 stand rejected under 35 U.S.C. § 102(b) over Nadeau-Dostie *et al.* (U.S. Patent No. 6,442,722). Applicant traverses the objections and rejections, and does not acquiesce to any rejection or averment in this Office Action unless Applicant expressly indicates otherwise.

The Section 102(b) rejections over the '722 reference are improper because the Office Action has failed to discuss the claim limitations at all, and has accordingly failed to assert correspondence to each limitation as required under Section 102 and relevant law. Instead of providing such an explanation of correspondence, the Office Action appears to have simply repeated portions of the cited '722 reference, together with an unsupported assertion that the reference applies to all of "independent claims 1-10." In this context, the Office Action has failed to assert correspondence to any of the claim limitations, failing to provide the Applicant with any manner in which to address the rejections and any alleged correspondence to the claimed invention.

As the Office Action has not asserted any specific correspondence between cited portions in the '722 reference and specific claim limitations, Applicant has reviewed the cited (and other) portions of the '722 reference and cannot ascertain correspondence to various claim limitations. Referring to independent claim 1 by way of example, the cited '722 reference does not disclose test pattern selection and implementation as claimed, involving the detection of a fault with a timing-sensitive flip-flop cell that receives data from a source flip-flop cell that belongs to a different domain. For example, the cited portions of the Abstract and figures 1-4 of the '722 reference do not disclose that a "timing sensitive flip-flop cell receives data dependent on data from a source flip-flop cell that belongs to a second clock domain different from the first clock domain" where the received data is used to detect a fault. The asserted "low speed domain 14" and "high speed domain 16" as shown in the cited figures (1-4) are separate and do not appear to involve any flip-flop cell in one domain that receives data from a flip-flop cell in another domain (*see, e.g.*, FIG. 1). The "two or more clock domains" of the '722 reference and its related operation thus do not disclose or otherwise involve any flip-flop cell that

receives data from a flip-flop cell that operates on a different domain as in claim 1 or as relevant to the other independent claims 3, 6, 7 and 10.

In addition to the above, Applicant cannot ascertain correspondence to other claim limitations, such as those directed to identical data and response values in a source flip-flop cell (*e.g.*, as in claims 1, 3 and 6), generating and using an adapted version of a design to select test patterns so a set of logic faults are covered (*e.g.*, as in claims 2, 4, 7, 9 and 10), and tracing logic circuits to identify a node having a source depending upon data within the domains (*e.g.*, as in claims 5 and 8).

Applicant believes that the claims meet the requirements of Section 112(2) in clearly describing the subject matter in a manner that one of skill in the art would understand, as consistent with the specification, and therefore traverses the Section 112(2) rejections of claims 1-6. However, Applicant has amended the claims to improve readability, and believes that the Section 112(2) rejections are no longer applicable.

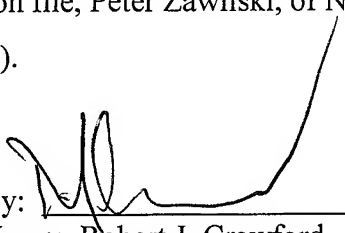
In addition to the above, Applicant notes that the Office Action Summary indicates an objection to the drawings, yet the Detailed Action section indicates that the drawings are acceptable. Applicant thus understands that there is no objection to the drawings.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

*Please direct all correspondence to:*

Corporate Patent Counsel  
NXP Intellectual Property & Standards  
1109 McKay Drive; Mail Stop SJ41  
San Jose, CA 95131

CUSTOMER NO. 65913

By:   
Name: Robert J. Crawford  
Reg. No.: 32,122  
651-686-6633  
(NXPS.552PA)